REMARKS

The Applicants and the undersigned attorney thank Examiner Caudle for carefully reviewing this patent application. Reconsideration of the present application is respectfully requested in light of the above amendments to the application and in view of the following remarks.

Before entry of the preceding amendment, claims 26-46 were pending in the application. The Examiner has rejected claims 26-46. After entry of the preceding amendment, claims 26-46 will still be pending. Claims 26, 33, and 40 are independent claims.

Information Disclosure Statement

In response to the Official Action, an acceptable Information Disclosure Statement has been filed, citing "Microsoft Money," Version 4.0, by Microsoft Corporation. Please consider that Information Disclosure Statement.

Claims 26, 33, and 40

The Examiner has rejected independent claims 26, 33, and 40 as obvious over U.S. Patent Number 5,842,185 to Chancey et. al (Chancey). Chancey discloses a method for automatically assigning financial transactions to various categories in a computerized financial record-keeping program. In Chancey, a financial transaction typically includes an amount and a payee to whom that amount has been paid. The program assigns a financial transaction to a category by determining if there are records of prior transactions with the same payee and, if there are prior transactions with the same payee, assigning the financial transaction to the same category as the category in which the prior transactions have been placed. Alternatively, the program assigns a financial transaction to a category based upon the merchant category code (e.g., a Standard Industry Code, or SIC for short) that has been previously assigned to the financial transaction.

In contrast, the invention defined by claims 26, 33, and 40 is directed to automatically replacing a received payee name in a financial transaction with a

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preferred payee name that a user of a financial management program has used to replace the received payee name in a prior transaction. As the Examiner admits, Chancey nowhere describes the concept of automatically replacing a received payee name with a preferred payee name from a prior transaction. Page 4 of the Official Action, second to last line. Because claims 26, 33, and 40 include many elements that recite operations involving both a received payee name and a preferred payee name in order to accomplish the goal of automatically replacing the received payee name with the preferred payee name from a prior transaction, Chancey does not describe, teach, or suggest these elements. As the cited reference does not teach or suggest each and every element of the claimed invention, as well as a motivation or suggestion to modify the reference to obtain the elements of the claimed invention, the Examiner has failed to establish a prima facie case of obviousness. MPEP §2142.

The Examiner has argued that Chancey provides motivation for modifying Chancey's method of assigning a financial transaction to a category to obtain the invention of claims 26, 33, and 40. Specifically, the Examiner finds this motivation in Chancey's disclosure of a financial management program that allows the user to change the payee name for a given financial transaction, as well as Chancey's stated purpose of providing the user with a system for electronically tracking financial transactions in a fast and accurate manner. Allowing the *user* to change a payee name in a given transaction in fact teaches away from the invention defined by claims 26, 33, and 40, which require the financial management program to *automatically* change the payee name to a preferred payee name used in prior transactions. With regard to Chancey's stated purpose of providing the user with a system for electronically tracking financial transactions in a fast and accurate manner, that stated purpose is too broad to provide motivation to one skilled in the art to practice an invention as specific as the one defined by claims 26, 33, and 40.

Moreover, Chancey is directed to solving a different problem than the invention defined by claims 26, 33, and 40. Specifically, Chancey solves the problem of making the process of assigning financial transactions to categories more

efficient. These categories, in turn, may be used to provide a summary of expenditures by category so that the user of the program can identify how the user has spent money. In contrast, the invention defined by claims 26, 33, and 40 solves the problem of replacing a received payee name with a preferred payee name in order to make the payee for a transaction more recognizable to the user of the financial management program. Because claims 26, 33, and 40 are directed to a different problem than Chancey, they are not obvious over Chancey.

Claims 29, 36, and 43

The Examiner has rejected claims 29, 36, and 43 as obvious over Chancey in view of Quicken 5 for Windows, as evidenced by Cummings in the book, Home Banking with Quicken ("Quicken"). As the Examiner points out, Quicken teaches the calculation of the opening balance in a financial management program. However, Quicken does not disclose any specific method for determining when to recalculate this opening balance. In contrast, the invention defined by claims 29, 36, and 43 is directed to a specific method for determining when a correct beginning balance should be recalculated. For example, claims 29, 36, and 43 require calculating a correct beginning balance if none of the transactions of the financial statement have been downloaded into the personal data store. Without further citation to a reference teaching a determination of whether to recalculate an opening balance as defined in claims 29, 36, and 43, the Examiner has failed to establish a prima facie case of obviousness.

Claims 26, 28, 30, 33, 35, 37, 40, 42, and 44 have been amended to correct informalities. These amendments are not intended to be substantive.

Because claims 26, 33, and 40 contain elements that are not shown, taught, or suggested by any cited references, they are patentable over the art of record, as are all claims depending from these independent claims. In accordance with the preceding arguments in favor of patentability, Applicant respectfully requests that the Examiner issue an allowance for claims 26-46.

CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action mailed March 2, 2000. Still, the Official Action may contain other arguments that are not directly addressed by this response due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this response to directly address an argument raised in the Official Action should not be taken as an indication that the Applicants believe the argument to have merit. Furthermore, the claims of the present patent application may include other elements, not discussed in this response, that are not shown, taught, or suggested by the cited art. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

In view of the foregoing, Applicants respectfully submit that claims 26-46 are patentable over the cited references and, therefore, a notice of allowance is respectfully requested. If the Examiner believes that there are any issues that may be resolved by a telephone conference, or that there are any informalities that may be corrected by an Examiner's amendment, please call Adam Avrunin at (404) 949-2437.

Respectfully submitted,

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